

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

STEVEN LARON MCARTHUR
ADC #95870

PLAINTIFF

V.

5:04CV00267 JMM/JTR

KIM LUCKETT, Assistant Warden,
Cummins Unit, and EDWARD SMITH,
Food Production Manager, Cummins Unit

DEFENDANTS

ORDER

Appointed counsel for separate Defendant Edward Smith has filed a Motion requesting permission, pursuant to Local Rule 83.6, Exhibit A(2),¹ to spend \$2,050 to have an independent DNA analysis conducted on semen samples that were collected by Plaintiff. *See* docket entry #88. The Court finds good cause for granting the request. Additionally, the Court has determined, as required by Local Rule 83.6, Exhibit A(3),² that this expenditure will not have an unduly burdensome effect on the Library Fund.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Pre-approval of Expenditures (docket entry #88) is GRANTED.

¹ Local Rule 83.6, Exhibit A(2) provides that: "Before an attorney expends an amount above \$500, for which that attorney intends to seek reimbursement from the fund, written approval must be obtained from a district court judge or magistrate judge."

² Local Rule 83.6, Exhibit A(3) provides that: "Before any single expenditure from the fund in excess of \$500 is authorized, or approval of a request by an attorney to expend in excess of \$500, the district court judge or magistrate judge shall inquire of the Clerk of Court for the Eastern District as to the impact of that expenditure on the fund."

2. The Court pre-approves the expenditure of a total of \$2,050 in costs to obtain an independent DNA analysis.³

Dated this 17th day of July, 2007.


UNITED STATES MAGISTRATE JUDGE

³ After the tests have been conducted, counsel should file a “Motion for Disbursement” which includes: (1) a copy of the receipt; and (2) directions as to whom the check should be issued.